



## United States Department of the Interior

NATIONAL PARK SERVICE  
Fire Island National Seashore  
120 Laurel Street  
Patchogue, NY 11772

### Review and Comments on Building/Zoning Permit Application

**Applicant(s):**

Owner: Ellen Starrett

Agent: Michelle Quatralo

**Tax Map #:**

985.80-1.31

**Application No.:**

Case #39 on August 21, 2013

**Zoning Authority:**

Brookhaven

**Community:**

Point O' Woods

**Object (Yes/No):**

Yes

*If Objection status is "Yes", property will be subject to the condemnation authority of the Secretary of the Interior, if built as proposed, or previously built with or without permits beyond allowable standards.*

**Reason for Objection:** 36 CFR Part 28.12(d)

**Objection Type:**

Exceeds 35% maximum lot occupancy

**Comments:**

In May of 1995, the Seashore first objected, then amended its comments to a no objection to an application submitted to the Board of Zoning Appeals regarding the existing overdevelopment of 42.7% lot occupancy. We felt that the proposal to relocate the ramp and bicycle ramp would not increase the presumed legal nonconforming development. However, we also noted at that time that using Lots 31 and 34, to calculate lot occupancy was unacceptable, as the lots are not contiguous, being separated by a 20 foot right-of-way. Again, this application uses both noncontiguous lots to calculate lot occupancy to 24.8%, which is clearly a misrepresentation of the actual overdevelopment of Lot 31. Additionally, the architect notes on the survey provided with the application that the deck at the northeast side of the lot, indicated for reconstruction, was "based on old records." However, Seashore records from the 1995 application do not show this same development, which we now calculate to be 52.4% of Lot 31, along with other development additions, including other deck and ramp enlargements. A copy of our entire property file, along with Seashore comments, are included with these comments for your review. We object to the continued overdevelopment of Lot 31 and the way that the applicant is attempting to side step town and federal lot occupancy requirements by adding the noncontiguous area of Lot 34.

*Review of this application for construction or variance request within the Fire Island National Seashore is made in accordance with 36 C.F.R. Part 28, Federal Zoning Standards for Fire Island National Seashore.*

A handwritten signature in cursive script, appearing to read "Paul C. Soler", is written over a horizontal line.

**Superintendent**

8/8/2013

**Date**

Cc: Applicant